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The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government are not aware."

Mr. C. RAMASOMAYAJULU :—" Do the Government think that laymen can attend to Court business?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is the sole object of the Act."

Mr. C. RAMASOMAYAJULU :—" Are the Government aware that difficulties are being experienced by litigants in this matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No difficulty whatever is experienced by them."

Mr. M. V. GANGADHARA SIVA :—" With reference to the answer to (b), may I know the reasons why the Government do not consider it desirable to amend the Act so as to make provision for capable practitioners to act as agents for clients?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There has been no complaint whatever that the Act is working any hardship on any person."

State Prisoners

Release of Mr. Narayana Menon.

* 561 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Law Member be pleased to state—

(a) what was the surety demanded by the Government for the release of Mr. Narayana Menon;

(b) how the surety tendered was inadequate; and

(c) what were the conditions imposed by the Government for the said release?

A.—(*a*) & (*c*) The Madras Government made no demands of Mr. Narayana Menon. The surety they contemplated was an undertaking given by Narayana Menon himself or by his friends on his behalf, that he would not take part in political activities or enter or reside in Malabar until the conditions there became normal.

(*b*) It was inadequate because it did not meet the requirements which the Government considered indispensable.

Mr. G. HARISARVOTTAMA RAO :—" May I know whether it is not a fact that a few friends of Mr. Narayana Menon have given an undertaking on his behalf as required by the Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. G. HARISARVOTTAMA RAO :—" May I know then why Mr. Narayana Menon was not released?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because Mr. Narayana Menon did not give his consent to the conditions which were laid down by the two sureties."

Mr. G. HARISARVOTTAMA RAO :—" May I ask the hon. Member whether the surety demanded by the Government was one either from Mr. Narayana Menon or from his friends on his behalf?"

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The hon. Diwan Bahadur M. Krishnan Nayar :—" Yes."

Mr. G. Harisarvottama Rao :—" The friends having given surety why did not the Government release Mr. Narayana Menon ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The conditions have to be agreed to by Mr. Narayana Menon also."

Mr. S. Satyamurti :—" With regard to the answer to clause (b) of the question, may I know, Sir, what according to the Government, are the indispensable requirements, which would made them to come to the conclusion that the sureties offered are adequate ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The consent of Mr Narayana Menon."

Mr. S. Satyamurti :—" May I ask the hon. the Law Member whether he differs and, if so, why, from the opinions of the gentleman called Diwan Bahadur M. Krishnan Nayar who, while on this side of the House, urged upon the Members of Government the unconditional release of Mr. Narayana Menon ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" I hold even now the opinions that I did."

Mr. S. Satyamurti :—" May I know then why he does not give effect to his opinions ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Because it does not depend upon myself alone. It depends upon the decision of the Government as a whole."

Mr. S. Satyamurti :—" May I know whether it differs from his own opinion,—I mean the decision of the Government—and if so, whether he is unable to enforce his own opinion on them, and if so, why he continues in that office ? "

11-30 a.m. The hon. Diwan Bahadur M. Krishnan Nayar :—" That is a Cabinet secret, Sir."

Rao Bahadur C. S. Ratnasabhapati Mudaliyar :—" May I know from the hon. the Law Member whether the conditions in Malabar have become normal ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Yes."

Mr. Sami Venkatachalam Chetti :—" If the conditions in Malabar are normal, where then is the necessity for sureties being given ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Sureties are to be given not only with reference to the conditions of Malabar, but also with reference to Narayana Menon taking no part in political activities."

Mr. Sami Venkatachalam Chetti :—" The surety is for this condition, that he would not take part in political activities in Malabar until conditions there became normal. Conditions have now become normal, and therefore there is no necessity for the surety ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" Evidently, the hon. Member does not take into consideration the first part of the answer which he himself read just now. There are two conditions; the first is that he will not take part in political activities and the

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second is that he will not enter or reside in Malabar. The fact that the conditions in Malabar have become normal applies only to the latter condition, namely, that he will not enter or reside in Malabar."

Mr. SAMI VENKATACHALAM CHETTI :—"Then, Sir, apart from this, is it not usual for the Government on certain occasions to remit sentences passed on convicts?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. SAMI VENKATACHALAM CHETTI :—"If it be so, why should not the Government exercise that consideration in respect of Mr. Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It has not been considered necessary in his case."

Mr. SAMI VENKATACHALAM CHETTI :—"Is that view held by the hon. the Law Member individually?"

The hon. Diwan Bahadur M KRISHNAN NAYAR :—"That is exactly what I stated once before. My views are the same as before, but the opinions of the Government as a whole prevail, and that is a Cabinet secret."

Mr. A. RANGANATHA MUDALIYAR :—"So far as the sureties are concerned, did they fulfil all the requirements of the Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Mr. G. HARISARVOTTAMA RAO :—"In view of the answers given by the hon. the Law Member, may I know whether he will solve the difficulty of Cabinet secrecy early and enforce his individual opinion on the Government and release Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is beyond me to say that."

Dr. B. S. MALLAYYA :—"May I know, Sir, from the hon. the Law Member what is that abnormal condition in Malabar that is dangerous for the release of Narayana Menon and also what are the conditions exactly that will satisfy the Government in order to release this gentleman?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I stated more than once in answer to questions that the conditions in Malabar have become normal."

Mr. K. R. KARANT :—"May I just ask, Sir, whether after the hon. Member assumed office, he has made any serious attempts to modify the conditions for the release of Narayana Menon?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I have stated in answer to similar questions again and again that it is a Cabinet secret."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"If the conditions are normal, what is the difficulty to release him?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Mr. Narayana Menon has not consented to give an undertaking that he will not take part in political activities."

Mr C. V. VENKATARAMANA AYYANGAR :—"May I know whether the Cabinet means the Cabinet of four or of seven?"

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The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That again is a Cabinet secret."

Mr. ABDUL HAMEED KHAN :—" The hon. the Law Member stated in answer to one of the questions that the conditions in Malabar have become normal since the time when the terms were offered to Narayana Menon for his release. In view of that, has the Law Member made any attempts to see that the conditions that were offered then to Mr. Narayana Menon for his release were reduced or modified ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" My friend, I am sorry to say, has not read the answer carefully. There are two conditions. The first is that Narayana Menon should not engage in political activities, and the second is that he should not travel or reside in Malabar so long as the conditions in Malabar are abnormal. The conditions are normal in Malabar. But, so far as Narayana Menon's taking part in political activities is concerned, that is quite independent of the conditions of Malabar."

Mr. ABDUL HAMEED KHAN :—" May I know if the hon. Member is aware that if Mr. Narayana Menon was kept in jail, it was because the conditions in Malabar were not satisfactory at that time in the opinion of the Government? And when the Government are now assured and when the hon. the Law Member is satisfied that the conditions in Malabar are normal, does he not think that he is justified in giving Narayana Menon his freedom ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am sorry to say I have not been able to follow the involved question of my friend."

The hon. the PRESIDENT :—" When the hon. Member is not able to understand the question, the best thing to do is to refuse to answer the question at once."

Mr. SAMI VENKATACHALAM CHETTI :—" Is it the intention of the Government to impose the condition that Narayana Menon should not take part in political activities for all his life ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is the present intention."

Mr. SAMI VENKATACHALAM CHETTI :—" May I know if the Government were of that opinion previous to Mr. Krishnan Nayar's appointment as Law Member ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. SAMI VENKATACHALAM CHETTI :—" May I therefore request him to peruse the previous Government Law Member's speeches once again ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, I shall read them very carefully."

Mr. S. SATYAMURTI :—" May I know, Sir,—if my hon. friend can be serious for half a minute—why the Government do want that Mr. Narayana Menon should not engage in political activities for the rest of his life in spite of their admission that conditions in Malabar have become normal ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because in the opinion of Government, Narayana Menon's political opinions are dangerous, he is a very clever man and by his preaching on political matters, he will be able to influence others."

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Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—"Are the ways of Government so bad that poor Narayana Menon's preaching or writing will affect the tranquillity of Malabar ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is because of the preachings of clever and seditious persons that sometimes the security of even strong Governments in the world is endangered."

Mr. P. BHAKTAVATSULU NAYUDU :—"Mr. President, do the Government think that they are so weak as to be tattered and torn by one man like Narayana Menon ?"

The hon. the PRESIDENT :—"That is asking for an opinion."

Mr. S. SATYAMURTI :—"May I ask my hon. Friend whether this opinion of the destiny of humanity which my hon. Friend just now gave as to the instability of Government under the influence of clever and seditious speakers is the opinion of the hon. the Law Member or of that Cabinet which is enveloped in secrecy ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is my own individual opinion, Sir."

Local Boards

Introduction of an amending Bill to the Local Boards Act.

*562 *Q.*—Mr. A. KALESWARA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) when the Government proposes to introduce an amending Bill to the Local Boards Act ;

(*b*) whether a final draft amending Bill is ready ;

(*c*) whether the Government propose to abolish nominations altogether ; and

(*d*) whether the Government have considered any method of reserving seats to Mussalmans, Indian Christians and depressed classes in elections ?

A.—(*a*) & (*b*) A draft Bill was prepared and referred to all local boards for remarks. The Bill with the criticisms received thereon from the local boards and individuals consulted, is being placed before the Local and Municipal Advisory Committee at a meeting to be held on the 15th October.

(*c*) The Government propose to abolish nominations reserving however power to appoint to any district board such number of persons as they think fit not exceeding three to represent the European or Anglo-Indian community or officers of Government. Persons so appointed will, it is suggested, be supernumerary members, irrespective of and in addition to the strength fixed for the particular district board.

(*d*) Yes.